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Attorney for Defendant/Counterclaimant.  
Dataway, Inc.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

AT&T Corp.

PLAINTIFF,

v.

Dataway, Inc.

DEFENDANT.

**CASE NO. C07-02440 MMC**

**DECLARATION OF ANNE-LEITH  
MATLOCK IN SUPPORT OF ANSWER  
TO COMPLAINT FILED BY AT&T  
AND COUNTER-CLAIM**

Dataway, Inc.

COUNTERCLAIMANT

v.

AT&T Corp.

COUNTERDEFENDANT

I, ANNE-LEITH MATLOCK, declare:

1. I am an attorney at law licensed to practice before all Courts of the State

1 of California and before the Courts of the Eastern and Northern District of  
2 California. I am a partner of the law firm Matlock Law Group, attorneys of record for  
3 Defendant and Counter-Claimant Dataway, Inc. (hereinafter "Dataway").

4 2. Attached hereto as Exhibit "A" is a true and correct copy of the Anti-  
5 Slamming Agreement and the telecommunication contract entered into by SBC/AT&T  
6 and Dataway, Inc. that authorized SBC to become Dataway's new and only service  
7 provider for local and long distance services.

8 3. Attached hereto as Exhibit "B" is a true and correct copy of the Service  
9 Bill in which AT&T claims charges in the amount of \$ 11,534.67 for the disputed calls.

10 4. Attached hereto as Exhibit "C" is the Declaration of Simon Lewis,  
11 President of Dataway, which I hereby incorporate herein by reference.

12 5. Attached hereto as Exhibit "D" is AT&T's Disconnect Notice.

13 6. Attached hereto as Exhibit "E" is a form that Dataway sent on demand  
14 to AT&T's Fraud Resolution Group.

15 7. I have reviewed the facts set forth in AT&T's Complaint and conclude  
16 that AT&T's Complaint is without merit and that the facts at hand provide the basis for  
17 affirmative defenses set forth in the Answer and causes of action set forth in the  
18 Counter-Claim.

19  
20 I declare under penalty of perjury under the laws of the United States that the  
21 foregoing is true and correct. I could and would competently testify thereto, if called  
22 upon as a witness.

23 This declaration is executed this 17<sup>th</sup> of October 2007, at Walnut Creek,  
24 California.

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27 Anne-Leith W. Matlock  
28 Attorney for Dataway, Inc.